**Application No.:** 10/560,485 **Office Action Dated:** April 9, 2009

This listing of claims will replace all prior versions, and listings, of claims in the application.

## **Listing of Claims:**

1. (Currently Amended) A compound of formula (I)

$$\begin{array}{c|c} OR^5 & & & & \\ \hline \\ L-N & & & \\ \hline \\ CH_2-N-C & & \\ \hline \\ R^1 & R^2 & \\ \end{array} \qquad (I),$$

a stereochemically isomeric form thereof, an *N*-oxide form thereof, or a pharmaceutically acceptable acid or base addition salt thereof, wherein

-R<sup>1</sup>-R<sup>2</sup>- is a bivalent radical of formula

wherein in said bivalent radicals optionally one or two hydrogen atoms on the same or a different carbon atom may be replaced by  $C_{1-6}$ alkyl or hydroxy,

 $R^3$  is  $C_{1-6}$ alkyl,  $C_{1-6}$ alkyloxy, or halo;

R<sup>4</sup> is <del>hydrogen or halo</del>;

provided that when R<sup>3</sup> and R<sup>4</sup> are both halo, then the bivalent radical-R<sup>1</sup>-R<sup>2</sup>- is of formula (a-5);

- $R^5$  is hydrogen or  $C_{1\text{-}6}$ alkyl, and the -OR<sup>5</sup> radical is situated at the 3- or 4-position of the piperidine moiety;
- L is hydrogen, or L is a radical of formula

wherein each Alk is C<sub>1-12</sub>alkanediyl; and

R<sup>6</sup> is hydrogen; hydroxy; cyano; C<sub>3-6</sub>cycloalkyl; C<sub>1-6</sub>alkylsulfonylamino; aryl or Het;

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 $R^7$  is  $C_{1-6}$ alkyl;  $C_{1-6}$ alkyl substituted with hydroxy;  $C_{3-6}$ cycloalkyl; aryl or Het;

X is O, S, SO<sub>2</sub> or NR<sup>8</sup>; said R<sup>8</sup> being hydrogen or  $C_{1-6}$ alkyl;

R<sup>9</sup> is hydrogen, C<sub>1-6</sub>alkyl, C<sub>3-6</sub>cycloalkyl, hydroxy or aryl;

Y is a direct bond, or  $NR^{10}$  wherein  $R^{10}$  is hydrogen or  $C_{1-6}$ alkyl;

Z is a direct bond, O, S, or  $NR^{10}$  wherein  $R^{10}$  is hydrogen or  $C_{1-6}$ alkyl;

 $R^{11}$  and  $R^{12}$  each independently are hydrogen,  $C_{1\text{-}6}$ alkyl,  $C_{3\text{-}6}$ cycloalkyl, or  $R^{11}$  and  $R^{12}$  combined with the nitrogen atom bearing  $R^{11}$  and  $R^{12}$  may form a pyrrolidinyl, piperidinyl, piperazinyl or 4-morpholinyl ring both being optionally substituted with  $C_{1\text{-}6}$ alkyl;

aryl represents unsubstituted phenyl or phenyl substituted with 1, 2 or 3 substituents each independently selected from halo, hydroxy, C<sub>1-6</sub>alkyl, C<sub>1-6</sub>alkyloxy,

C<sub>1-6</sub>alkylcarbonyl, nitro, trifluoromethyl, amino, aminocarbonyl, and aminosulfonyl; and

Het is furanyl; furanyl substituted with C<sub>1-6</sub>alkyl or halo;

tetrahydrofuranyl; tetrahydrofuranyl substituted with C<sub>1-6</sub>alkyl;

dioxolanyl; dioxolanyl substituted with  $C_{1-6}$ alkyl;

dioxanyl; dioxanyl substituted with C<sub>1-6</sub>alkyl;

tetrahydropyranyl; tetrahydropyranyl substituted with C<sub>1-6</sub>alkyl;

2,3-dihydro-2-oxo-1H-imidazolyl; 2,3-dihydro-2-oxo-1H-imidazolyl substituted with one or two substituents each independently selected from halo, or  $C_{1-6}$ alkyl; pyrrolidinyl; pyrrolidinyl substituted with one or two substituents each independently selected from halo, hydroxy, or  $C_{1-6}$ alkyl;

pyridinyl; pyridinyl substituted with one or two substituents each independently selected from halo, hydroxy, C<sub>1-6</sub>alkyl;

pyrimidinyl; pyrimidinyl substituted with one or two substituents each independently selected from halo, hydroxy, or  $C_{1-6}$ alkyl;

pyridazinyl; pyridazinyl substituted with one or two substituents each

independently selected from hydroxy,  $C_{1-6}$ alkyloxy,  $C_{1-6}$ alkyl or halo;

pyrazinyl; pyrazinyl substituted with one ore two substituents each independently selected from hydroxy, C<sub>1-6</sub>alkyloxy, C<sub>1-6</sub>alkyl or halo.

2. (Previously Presented) The compound as claimed in claim 1 wherein the –OR<sup>5</sup> radical is situated at the 3-position of the piperidine moiety having the trans configuration.

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3. (Previously Presented) The compound as claimed in claim 2 wherein the absolute configuration of said piperidine moiety is (3S, 4S).

- 4. (Previously Presented) The compound as claimed in claim 1 wherein -R<sup>1</sup>-R<sup>2</sup>- is a radical of formula (a-5), R<sup>3</sup> is chloro and R<sup>4</sup> is chloro.
- 5. (Previously Presented) The compound as claimed in claim 1 wherein -R<sup>1</sup>-R<sup>2</sup>- is a radical of formula (a-5), R<sup>3</sup> is chloro and R<sup>4</sup> is bromo.
- 6. (Previously Presented) A pharmaceutical composition comprising a pharmaceutically acceptable carrier and a therapeutically active amount of a compound according to claim 1.
- 7. (Canceled)
- 8. (Canceled)
- 9. (Canceled)
- 10. (Original) A process for preparing a compound of formula (I) wherein
  - a) an intermediate of formula (II) is reacted with an carboxylic acid derivative of formula (III) or a reactive functional derivative thereof;

$$L = N + HO = R^{4}$$
(II)
$$(III) \qquad (IIII)$$

$$(III) \qquad (IIII)$$

b) an intermediate of formula (IV) is *N*-alkylated with a compound of formula (I-a), defined as a compound of formula (I) wherein L represents hydrogen, in a reaction-inert solvent and, optionally in the presence of a suitable base, thereby yielding compounds of formula (I-b), defined as compounds of formula (I) wherein L is other than hydrogen;

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c) an appropriate ketone or aldehyde intermediate of formula L'=O (V), said L'=O being a compound of formula L-H, wherein two geminal hydrogen atoms in the C<sub>1-12</sub>alkanediyl moiety are replaced by =O, is reacted with a compound of formula (I-a), thereby yielding compounds of formula (I-b);

$$L = O + H - N \qquad CH_2 - N - C \qquad R^4$$

$$(I-b)$$

$$(V)$$

wherein in the above reaction schemes the radicals -R<sup>1</sup>-R<sup>2</sup>-, R<sup>3</sup>, R<sup>4</sup> and R<sup>5</sup> are as defined in claim 1 and W is an appropriate leaving group;

- d) or, compounds of formula (I) are converted into each other following art-known transformation reactions; or if desired; a compound of formula (I) is converted into a pharmaceutically acceptable acid addition salt, or conversely, an acid addition salt of a compound of formula (I) is converted into a free base form with alkali; and, if desired, preparing stereochemically isomeric forms thereof.
- 11. (Canceled)
- 12. (Canceled)
- 13. (Previously Presented) A method for treating hypermotility, irritable bowel syndrome, constipation or diarrhea predominant IDS, pain and non-pain predominant IBS and bowel hypersensitivity comprising administering to a patient in need thereof an effective amount of a compound according to claim 1.